

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY MONTEVIDEO

AMEMBASSY KABUL

AMEMBASSY REYKJAVIK

AMEMBASSY ATHENS

AMEMBASSY LIMA

UNCLAS STATE 065050

FOL SENT ACTION SECSTATE WASHDC APRIL 6, 197 FROM USUN NEW
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SUBJ: LOS: SUBCOMMITTEE II, APRIL 5.

1. SUMMARY. SEVERAL STATES SPOKE ON QUESTIONS OF
COASTAL STATE RIGHTS IN TERRITORIAL SEA AND IN AREA
BEYOND AND ON ISSUES OF RIGHTS OF INNOCENT PASSAGE
AND FREEDOM OF NAVIGATION AND OVERFLIGHT. END SUMMARY.

2. URUGUAY SAID TERRITORIAL SEA OUTER LIMIT SHOULD BE
DETERMINED BY EACH STATE IN ACCORDANCE WITH CERTAIN
FACTORS SUCH AS GEOGRAPHY, ECONOMIC NEED, ETC. TO A
MAXIMUM OF 200 MILES. STRESSED THAT NEW FACTORS OF
RESOURCE EXPLOITATION AND PROTECTION OF ENVIRONMENT
COUPLED WITH NEED FOR SECURITY REQUIRED COASTAL STATE
JURISDICTION. SAID INNOCENT PASSAGE WOULD APPLY OUT TO
12 MILES WITH FREEDOM OF NAVIGATION AND OVERFLIGHT
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BEYOND. SAID SOME ARRANGEMENT WOULD BE NECESSARY TO ACCOMMODATE LAND- LOCKED STATES INTERESTS IN AREA BEYOND 12 MILES ON REGIONAL BASIS. SAID LIKES YAOUNDE AND SANTO DOMINGO DOCUMENTS BUT RESERVED RIGHT TO SUBMIT ITS OWN ARTICLES.

3. AFGHANISTAN STATED LAND- LOCKED STATES' RIGHTS OF FREE TRANSIT THROUGH LAND TERRITORY AND FREE ACCESS TO OCEANS ESSENTIAL AND MUST BE RECOGNIZED.

4.. ICELAND SAID AGREEMENT COULD NOT BE REACHED ON 12-MILE MAXIMUM FOR TERRITORIAL SEA UNTIL COASTAL AND OTHER INTERESTS IN AREAS BEYOND WERE ACCOMMODATED. SUBMITTED DRAFT ARTICLE ALLOWING COASTAL STATE TO SET LIMIT OF TERRITORIAL SEA IN ACCORDANCE WITH FACTORS SUCH AS GEOGRAPHY AND ECONOMIC NEED TO LIMIT OF 200 MILES. STATED SUPPORT FOR KENYAN AND SANTO DOMINGO PROPOSALS.

5. ALGERIA SAID SHOULD BE INNOCENT PASSAGE IN TERRITORIAL SEA WITH UNRESTRICTED RIGHT OF COASTAL STATE TO REGULATE PASSAGE OF CERTAIN TYPES OF VESSELS. SAID ALGERIAN DOMESTIC LAW REQUIRED PRIOR AUTHORIZATION FOR PASSAGE OF CERTAIN TYPES OF VESSELS. IN AREA BEYOND TERRITORIAL SEA, COASTAL STATE MUST HAVE SOVEREIGN RIGHTS OVER RESOURCES, TO CONTROL SCIENTIFIC RESEARCH AND TO PRESERVE MARINE ENVIRONMENT. SAID WOULD BE FREEDOM OF NAVIGATION AND OVERFLIGHT BEYOND TERRITORIAL SEA SO LONG AS NOT INTERFERE WITH COASTAL STATE RIGHTS.

6. GREECE MADE LENGTHY STATEMENT ON SUPPORTING ENTITLEMENT OF ISLANDS TO FULL TERRITORIAL SEA AND USE OF MEDIAN LINE PRINCIPLE TO DELIMIT TERRITORIAL SEA BETWEEN OPPOSITE STATES. SPOKE BRIEFLY ON ARTICLES ON NAVIGATION WHICH GREECE CO- SPONSORED AND SAID GREEK SHIPS HAD NO DIFFICULTY WITH INNOCENT PASSAGE.

7. PERU SAID CHANGED TECHNOLOGY REQUIRED NEW LAW, NOT JUST AMENDMENTS TO GENEVA CONVENTIONS. SAID CONSERVATIVE MARITIME STATES WANT NARROW COASTAL STATE RIGHTS TO ALLOW THEIR COMPANIES TO OPERATE OFF COAST OF OTHERS. SAID SOME STATES VIOLATE UN AND OAS CHARTERS IN THEIR USE OF THE OCEANS. SAID UNWILLING TO ACCEPT LIMITATION OF UNCLASSIFIED

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TERRITORIAL SEA TO 12 MILES BUT WILLING TO DISCUSS NEW

CONCEPTS SUCH AS " NATIONAL SEA". ALSO SAID WILLING TO
PUT NAMES ASIDE AND DISCUSS COASTAL STATE RIGHTS AND
OBLIGATIONS IN OCEANS AND DUTIES AND LIMITATIONS ON
COASTAL STATES TO PROTECT INTERESTS OF OTHERS. SAID
COASTAL STATE, AT MINIMUM, MUST HAVE RIGHTS OVER RESOURCES,
RESEARCH AND POLLUTION CONTROL. SCALI UNQUOTE
ROGERS

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